

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 23-20219-CV-WILLIAMS

KATHERINE MARTINEZ,

Plaintiff,

v.

GEICO CASUALTY COMPANY,

Defendant.

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ORDER

THIS MATTER is before the Court on the Eleventh Circuit’s Limited Remand Order (“**Remand Order**”) (DE 85). Following the June 5, 2024 Status Conference, the Court makes the following findings of fact: Plaintiff Katherine Martinez (“**Ms. Martinez**”) is, and was at all relevant times, a citizen of Florida and Defendant GEICO Casualty Company¹ (“**GEICO**”) is, and was at all relevant times, a citizen of Nebraska and Maryland.²

In cases where federal jurisdiction is invoked based upon diversity, every plaintiff must be diverse from every defendant. *Travaglio v. Am. Exp. Co.*, 735 F.3d 1266, 1268 (11th Cir. 2013). When determining citizenship of a natural person, the Court examines “both residence in a state and an intention to remain there indefinitely.” *Id.* at 1269 (internal citations omitted). At the Status Conference, Ms. Martinez attested that she has

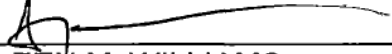
¹ The Court utilizes the name Defendant GEICO Casualty Company—previously GEICO Casualty Insurance Company—for the reasons set forth in the Parties’ Agreed Motion to Correct by Interlineation and the subsequently filed Amended Complaint. (DE 90; DE 92.)

² The Court notes that Defendant informed the Court at the hearing that it was previously incorporated under the laws of Maryland but is now incorporated under the laws of Nebraska. Either way, the Court finds complete diversity has existed at all times relevant to this action.

always been a resident of the state of Florida and intends to remain here indefinitely. When determining the citizenship of a corporation, the Court examines both where a corporation has been incorporated and where it has its principal state of business. 28 U.S.C. § 1332(c)(1). At the Status Conference, GEICO affirmed that it is incorporated under the laws of Nebraska and has its principal state of business in Maryland. Therefore, the Court finds that the Parties in this action are, and were at all relevant times, completely diverse.

Accordingly, it is **ORDERED AND ADJUDGED** that the record of this case, as supplemented, should be **RETURNED** to the Eleventh Circuit for further adjudication.

DONE AND ORDERED in Chambers in Miami, Florida, on this 11th day of June, 2024.



KATHLEEN M. WILLIAMS
UNITED STATES DISTRICT JUDGE